

Assembly Bill No. 738

Passed the Assembly August 30, 2007

Chief Clerk of the Assembly

Passed the Senate August 27, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 1107 of the Ojai Basin Groundwater Management Agency Act (Chapter 750 of the Statutes of 1991), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 738, Strickland. Ojai Basin Groundwater Management Agency.

The Ojai Basin Groundwater Management Agency Act establishes the Ojai Basin Groundwater Management Agency. The act authorizes the agency to impose, by ordinance, a charge on the extraction of groundwater by the use of extraction facilities within the boundaries of the agency to pay the costs of the agency in carrying out groundwater management activities. The act prohibits the agency from imposing a charge that exceeds \$7.50 per acre-foot pumped per year.

This bill would authorize the board of directors of the agency to establish a groundwater extraction charge maximum limitation that exceeds that \$7.50 per acre-foot amount pumped per year if that action is approved by a majority vote of the operators of extraction facilities that are subject to the charge, with votes weighted based on the volume of water extracted by each operator, and the charge does not exceed \$25 per acre-foot pumped per year.

The people of the State of California do enact as follows:

SECTION 1. Section 1107 of the Ojai Basin Groundwater Management Agency Act (Chapter 750 of the Statutes of 1991) is amended to read:

Sec. 1107. (a) Except as provided in subdivision (b), the groundwater extraction charge shall not exceed seven dollars and fifty cents (\$7.50) per acre-foot pumped per year.

(b) The board may establish a groundwater extraction charge maximum limitation that exceeds the amount specified in subdivision (a) if both of the following are true:

(1) The imposition of the groundwater extraction charge is approved by a majority vote of the operators that are subject to the

charge, with the votes weighted based on the volume of water extracted by each operator. Votes shall be calculated based on a three-year average of production from the basin, as determined by payments of groundwater extraction charges to the agency during the three years immediately preceding the vote, except that for operators with facilities in use less than three years, votes shall be weighted based upon a single-year average if the facility has been in use less than two years, or weighted based upon a two-year average if the facility has been in use more than two years and less than three years. Each operator shall be entitled to one vote for each averaged acre-foot of groundwater pumped. A change in ownership shall not affect the history of production from any well.

(2) The groundwater extraction charge does not exceed twenty-five dollars (\$25) per acre-foot pumped per year.

Approved _____, 2007

Governor